

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 894 OF 2025
WITH
INTERIM APPLICATION NO. 4038 OF 2024**

Tukaram Babaji Gurav ...Applicant

Versus

State Of Maharashtra And Anr ...Respondent

Mr. Sachidanand D. Tandel Advocate for the Applicant

Mr. S. H. Yadav, APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th NOVEMBER, 2025.

IRESH
MASHAL

P.C.

Digitally signed
by IRESH
MASHAL
Date:
2025.11.18
15:50:49
+0530

INTERIM APPLICATION NO. 4038 OF 2024:

1. By this application, the applicant is seeking suspension of sentence. It is contention of learned counsel for applicant that the applicant is convicted for offence punishable under Section 307 of the Indian Penal Code by the impugned Judgment and Order dated 29th February 2024 by the learned Sessions Court at Ratnagiri in Sessions Case No. 5 of 2019 and sentenced to suffer rigorous imprisonment for 10 years and shall pay fine of Rs. 3,000/- in default to suffer simple imprisonment for 3 months. Learned counsel further submitted that the applicant is behind bar for more than 4 years 9 months and 26

days out of 10 years. The applicant has deposited the fine amount. The applicant is Karta of his family. It may take time to dispose of the appeal and requested to allow the application.

2. It is contention of learned APP that prosecution has proved the case beyond doubt before the learned Sessions Court. Accordingly, the applicant is convicted. If applicant is released on bail, he may abscond and requested to reject the application.

3. I have heard both the learned counsel, perused the impugned judgment and order. Applicant is behind bar for more than 4 years and 9 months. During trial, he was on bail. He has not misused the liberty. It may take time to dispose of the appeal.

4. In view of above, I pass following order:

ORDER

I. The application is allowed.

II. The substantive sentence of imprisonment awarded on the applicant by the learned Sessions Court at Ratnagiri in Sessions Case No. 5 of 2019 vide Judgment and Order dated 29th February 2024 is hereby suspended pending disposal of

appeal.

III. The applicant be enlarged on bail on furnishing PR bond in the sum of Rs. 15,000/- with one or two sureties in the like amount.

IV. The bail bonds to be furnished before the learned Sessions Judge, Ratnagiri.

5. Application is disposed off in above terms.

(SHIVKUMAR DIGE, J.)